

**HOPEWELL TOWNSHIP
YORK COUNTY PA
BOARD OF SUPERVISORS
MINUTES FOR REGULAR MEETING
MUNICIPAL BUILDING
THURSDAY, MARCH 7, 2019 @ 7 PM**

Chairman Manifold called the March 7, 2019, Board of Supervisors meeting to order at 7:04 p.m. In attendance were Chairman: Aaron R. Manifold, Vice-Chairman: John J. O'Neill, III, Board Member: David T. Wisnom, Solicitor: Andrew J. Miller, Manager: Kristy Smallwood and Treasurer: Katie Miller.

Chairman Manifold asked if anyone in the audience was recording the meeting No one identified themselves as recording the meeting.

An executive session was held at 6 pm on March 7, 2019, to discuss pending litigation.

Approval of Minutes: Board Member Wisnom motioned to approve the February 7, 2019, Board of Supervisors minutes. Vice Chairman O'Neill seconded the motion. Motion carried.

Treasurer's Report/Invoices: Chairman Manifold motioned to approve the February 28, 2019, Treasurer's Report and previously reviewed invoices listed in the report. Board Member Wisnom seconded the motion. Motion carried.

Roads:

Winter Maintenance – Road crews have been busy with the nuisance snows that we have had. One truck blew a hydraulic line, but the crew was able to repair and continue.

The new Grader is to arrive mid to end of April. It is a little behind original delivery date.

The road crew is completing pot hole repairs as time as weather permits. They are using a cold patch mix at this time. They will complete permanent repair when it gets warmer.

Subdivision/Land Development Plans:

Deer Creek: - Mr. Bosley was present. Solicitor Miller reflects that all is in order and will be recorded. Solicitor Miller confirmed that Manager Smallwood has all of the executed confirmatory deeds. Solicitor Miller will make sure all the fees are tabulated and paid before the plans go to record. One issue Keith Hunnings (Zoning Officer) would like the board to address is the zoning of the property. When this plan was approved one of the lots was zoned wildlife preserve. A potential buyer for the lot in question would like to know whether hunting is permitted. The definition in the ordinance for the forest and wildlife preserve is a tract of

land consisting of at least 10 acres utilizing its entirety for the production of forest products and/or the maintenance for the sanctuary for wildlife, non-domesticated animals. The definition is not entirely clear whether hunting would be allowed. Keith Hunnings asked that we get the board's opinion so they know how to respond to these questions. Solicitor Miller says he does not see anything in the ordinance that would prohibit hunting. Chairman Manifold asked if the word sanctuary would mean it's a safe haven for animals. Solicitor Miller said wildlife sanctuaries do allow hunting as a way to control populations. There is not an across the board policy that wildlife sanctuaries do not allow hunting according to Solicitor Miller.

Chairman Manifold motioned in this parcel of the wildlife preserve that hunting is permitted. Vice Chairman O'Neill seconded the motion. Motion carried.

James Amrhein was present as the potential buyer of the land that had the question discussed above. The wording in the ordinance was a little unclear to him. That is why he was seeking clarification. He would like to hunt deer and turkey on the lot, if he purchases. He has no intention of doing any type of commercial hunting. It is for his own personal use.

Dave Bosley was present to inquire who is going to be recording the deeds. Solicitor Miller stated he will take the deeds with him. Costs will be provided and will need to be paid by the developer. Solicitor Miller will record the plan and pass the deeds on to be recorded. This is due to the fact that the one property transfer is going between parties and transfer tax will apply. Some calculations will need done with assessment because of the lot line change. He will let Dave know the final costs.

Plan has been approved previously. No motion needed to sign.

Solicitor's Report:

Bond Lane – Solicitor Miller received a call from Mildred Williams on Bond Lane. She still reports that there is documentation that states other property owners are to share in the responsibility of paving the lane. However, paperwork has yet to be provided. Solicitor Miller told her to come to the township meetings, however she still has not done so.

Resolution 4-2019- Consider adoption of York County 2018 Hazard Mitigation Plan component. Every 5 years they are required to update this plan. However, Solicitor Miller noted that this does not obligate the township to do anything. FEMA and PEMA do take this into consideration when considering emergency funding. The County even said that they do not know of any time funding has been held up if not adopted. Solicitor Miller recommends to adopt the resolution and pass it on to the County. The County will then forward it to FEMA for them to have on record. Vice Chairman O'Neill inquired if the township has a copy of the vulnerability assessment that was done. Solicitor Miller advised that York County Planning Commission has a copy of the full plan on their website. Solicitor Miller also advised that Roy Livergood at the county is a great contact if there are questions. Vice Chairman O'Neill made the motion to adopt Resolution 4-2019. Board Member Wisnom seconded the motion. Motion carried.

JCI Letter of Credit – Johnson Controls Letter of Credit was extended to Sept. 15, 2019 for over \$3M. They never reduced surety. Solicitor Miller stated not all work has been completed and he is unsure how much more work is to be done. When work is completed, there will still be an 18-month maintenance bond for the Stormwater facilities from the date they actually get the surety reduction. Chairman Manifold asked if Keith Hunnings can look into this? Why they did not ask for a reduction? Johnson Controls had contacted Solicitor Miller on how to go about getting reduction and they were advised that since Kinsley did a lot of the site work that Johnson Controls should be in contact with Kinsley.

Other Business:

Electronic sign – Consider and award bid; Manager Smallwood advised that with the assistance of Solicitor Miller they had advertised for bids for the electronic sign. Three bids were received (1) Dragonfly; (2) KC Sign and Awnings and (3) Foreman Signs. Manager Smallwood, Treasurer Miller and Road Master Donnie were present to open the bids. The lowest bid was for \$24,850 from KC Sign and Awnings and they appear to meet all of the specifications that were on bid. Chairman Manifold asked if Manager Smallwood saw any products or warranties from them. She advised it was 7-year manufacturers parts and labor Chairman Manifold asked Solicitor Miller if it was an issue that KC Signs signatures were not on the bid? Solicitor Miller looked into that and they would verify with bidder and get a signed copy and the rest of specifications were met. Manager Smallwood reflected that a sales representative from KC was present when bids were opened. Board Member Wisnom questioned if the bid includes installation and electrical? It was determined that these were included. The sign will be able to be controlled by WiFi signal, or from mobile devices. Solicitor Miller reports that the board has 60 days to award this bid. Vice Chairman O’Neill asked if KC provided any other references, for other jobs they have completed. KC did provide a packet prior to giving a bid that showed different companies that KC did work for. Chairman Manifold made the motion to authorize Manager Smallwood to proceed and award the bid to KC Sign & Awnings for \$24,850.00. Vice Chairman O’Neill seconded this motion. Motion carried.

Solicitor Miller advised that they will get a Notice of Award from KC since original was not signed.

Keith Rhew was present and questioned the amount of time on the warranties for the bids and what happens if the company goes belly up? Who would cover the warranty if that happens? The Board believes manufacturer would step in, if that was to happen.

Stewartstown Railroad- John Nolan requesting closing of Valley Road for bridge repairs in spring. Mr. Nolan was to be present to answer questions but he was not here.

2019 Financial audit – The elected Board of Auditors did the annual audit for 2018. No issues were found. One thing that should be improved upon for next year, minutes need to be more

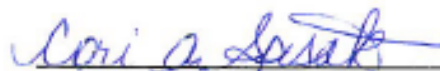
accurate on grammatical errors. Chairman Manifold motioned to accept the Board of Auditors report as submitted. Vice Chairman O'Neill seconded the motion. Motion carried.

Public Comment.

- Keith Rhew, a resident of Stewartstown Station was present was present to discuss a water pressure issue. He has lived there for 5 years. He has a water pressure issue. He has spoken to the Water Authority a few times. They have come out and recommended that he replace his water regulator, which he has done. The hose bed was also replaced. He has approximately 35 lbs. of pressure. Pressure should be at 50 to 60 lbs. of pressure. Mr. Rhew's house sits low. Chairman Manifold reported that the Hopewell Township Board of Supervisors does not control any part of the Water Authority. He would need to go to Stewartstown Borough Authority meeting or Borough Council meeting. Hopewell Township does have an inter-municipal agreement so that Stewartstown Borough can bill the residents of Hopewell and that is all the control this board has. Hopewell Township does have 2 representatives on the Borough Authority board.
- James Amrhein was present on the advice of Keith Hunnings. He understands that the land he is looking at purchasing is limited to 1 building and the open ground is enrolled in a different type of conservation. Chairman Manifold reflects that the current owners were the ones who went that route so that a subdivision could be obtained. This was not mandated by the Board or office in anyway. Mr. Amrhein says he understands that the open ground cannot be farmed in the traditional sense. He wants to know whether he has the right to install and maintain a perimeter around it or cut trails through it? Possibly install some small food plots in the interest of attracting some deer or turkey. Vice Chairman O'Neill asked if it was his intention to cut through with a tractor to keep some trails clean? Mr. Amrhein reports he wants to be able to get around the property on the high side and the back side. Have some trails through it so if he'd shoot a deer and the deer would go into the thicket there would be a way to get it out. Also, the open ground is excellent for turkey and deer. He could plant clover or an isolated food plot. Vice Chairman O'Neill says that what Mr. Amrhein is describing sounds like a wildlife sanctuary to him. Chairman Manifold indicated that everything Mr. Amrhein has reflected is an allowable use as long as he is not paving or putting gravel in and it is for his personal use. The Board does not see a problem with what he is proposing. It was mentioned that the proposed building sites on this lot are ridged.

Adjournment Meeting was adjourned at 7:48 pm by Chairman Manifold.

Kristy Smallwood, Secretary



Cori A. Spisak, Recording Secretary